



**Serial 10/667,208**

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant:	Dennis A. Carson et al.	Examiner:	Raymond J. Henley
Serial No.:	10/667,208	Group Art Unit:	1614
Filed:	September 19, 2003	Docket:	103.032US1
Title:	USE OF ETODOLAC TO TREAT HYPERPLASIA		

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

In compliance with the duty imposed by 37 C.F.R. § 1.56, and in accordance with 37 C.F.R. §§ 1.97 *et. seq.*, the enclosed materials are brought to the attention of the Examiner for consideration in connection with the above-identified patent application. Applicants respectfully request that this Supplemental Information Disclosure Statement be entered and the documents listed on the attached Form 1449 be considered by the Examiner and made of record. Pursuant to the provisions of MPEP 609, Applicants request that a copy of the 1449 form, initialed as being considered by the Examiner, be returned to the Applicants with the next official communication.

Pursuant to 37 C.F.R. §1.97(c)(2), Applicants have included the fee of \$180.00 as set forth in 37 C.F.R. §1.17(p). Please charge any additional fees or credit any overpayment to Deposit Account No. 19-0743.

11/19/2004 AWONDAF1 00000024 10667208

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The Examiner is invited to contact the Applicants' Representative at the below-listed telephone number if there are any questions regarding this communication.

The present application is either a U.S. national patent application filed after June 30, 2003 or an international application that entered the national stage under 35 U.S.C. § 371 after June 30, 2003. Thus, Applicant believes that the U.S. Patent & Trademark Office has waived the requirement under 37 C.F.R. 1.98 (a)(2)(i) for submitting a copy of each cited U.S. patent and each U.S. patent application publication. The waiver is provided in a pre-OG notice from the U.S. Patent & Trademark Office entitled "Information Disclosure Statements May Be Filed Without Copies of U.S. Patents and Published Applications in Patent Applications filed after June 30, 2003" and dated July 11, 2003. Applicant acknowledges the requirement to submit copies of foreign patent documents and non-patent literature in accordance with 37 C.F.R. 1.98(a)(2).

Respectfully submitted,  
DENNIS A. CARSON ET AL.

By their Representatives,  
SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.  
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Date November 16, 2004

By William F. Prout

William F. Prout  
Reg. No. 33,995

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Date of Deposit: November 16, 2004

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**S/N 10/667,208**

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**COMMUNICATION CONCERNING RELATED APPLICATIONS**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Applicants would like to bring to the Examiner's attention the following related applications in the above-identified patent application:

<u>Serial/Patent No.</u>	<u>Filing Date</u>	<u>Attorney Docket</u>	<u>Title</u>
09/360,020 6,545,034	July 23, 1999	103.014US1	USE OF ETODOLAC FOR THE TREATMENT OF CHRONIC LYMPHOCYTIC LEUKEMIA
10/236,221	September 5, 2002	103.014US2	USE OF ETODOLAC FOR THE TREATMENT OF CHRONIC LYMPHOCYTIC LEUKEMIA
10/753,665	January 8, 2004	103.014US3	USE OF ETODOLAC FOR THE TREATMENT OF CHRONIC LYMPHOCYTIC LEUKEMIA
09/589,476	June 7, 2000	103.021US1	USE OF ETODOLAC IN THE TREATMENT OF CANCER
09/634,207	August 9, 2000	103.022US1	INDOLE COMPOUNDS USEFUL FOR THE TREATMENT OF CANCER
10/682,790	October 9, 2003	103.038US1	INDOLE COMPOUNDS USEFUL FOR THE TREATMENT OF CANCER

Respectfully submitted,  
DENNIS A. CARSON ET AL.

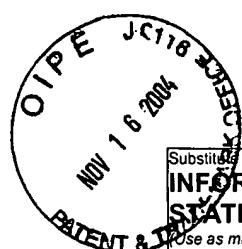
By Applicants' Representatives,  
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Substitute for form 1449A/PTO  
**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**  
(Use as many sheets as necessary)

Complete if Known

<b>Application Number</b>	10/667,208
<b>Filing Date</b>	September 19, 2003
<b>First Named Inventor</b>	Carson, Dennis
<b>Group Art Unit</b>	1614
<b>Examiner Name</b>	Henley, Raymond

Sheet 1 of 2

Attorney Docket No: 103.032US1

### US PATENT DOCUMENTS

Examiner Initial *	USP Document Number	Publication Date	Name of Patentee or Applicant of cited Document	Filing Date If Appropriate
	US-3,053,255	09/11/1962	Meyer, Friedrich	12/16/1958
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	US-4,806,356	02/21/1989	Shaw, Alec S.	04/03/1987
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### FOREIGN PATENT DOCUMENTS

Examiner Initials*	Foreign Document No	Publication Date	Name of Patentee or Applicant of cited Document	†²
	WO-0106990A2	02/01/2001	Carson, Dennis A.	
	WO-0212188A2	02/14/2002	Carson, Dennis A.	
	WO-9748391A3	12/24/1997	Xiaotao, Quian	
	WO-98/40078A1	09/17/1998	Rephaeli, A.	

EXAMINER

DATE CONSIDERED

Substitute Disclosure Statement Form (PTO-1449)

\* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. † Applicant's unique citation designation number (optional) ‡ Applicant is to place a check mark here if English language Translation is attached

Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

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<b>Filing Date</b>	September 19, 2003
<b>First Named Inventor</b>	Carson, Dennis
<b>Group Art Unit</b>	1614
<b>Examiner Name</b>	Henley, Raymond

Sheet 2 of 2

Attorney Docket No: 103.032US1

**OTHER DOCUMENTS -- NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		<u>The Merck Index, Thirteenth Edition, Budavari, S., et al., (eds.), Merck &amp; Co., Inc., Rahway, N.J., "Etodolac, Entry No. 3905 ", (1990), p. 685</u>	
		<u>In: Remington's Pharmaceutical Sciences, Eighteenth Edition, Gennaro, A.R., (ed.), Mack Publishing Company, Easton, PA, (1990), pp. 1115-1122</u>	
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		<u>RILEY, et al., "New Drugs: a six month review", US Pharmacist, Vol. 16, (September 1991), 35-64</u>	
		<u>THUN, MICHAEL J., "Aspirin, NSAIDs, and digestive tract cancers", Cancer and Metastasis Reviews 13, Kluwer Academic Publishers., (1994), 269-277</u>	
		<u>WECHTER, WILLIAM J., "R-Flurbiprofen (E-7869), a chemopreventive and treatment of cancer", Inflammopharmacology, Volume 8, No. 2, (2000), 189-206</u>	
		<u>WECHTER, WILLIAM J., "R-Flurbiprofen Chemoprevention and Treatment of Intestinal Adenomas in the APC min/+ Mouse Model: Implications for Prophylaxis and Treatment of Colon Cancer", Cancer Research, Volume 57, Number 19, (October 1, 1997), 4316-4324</u>	
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**EXAMINER****DATE CONSIDERED**

Substitute Disclosure Statement Form (PTO-1449)

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